

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**THE SHERWIN-WILLIAMS COMPANY,  
Plaintiff,**

**v.**

**Case No. 2:06-CV-829  
JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Terence P. Kemp**

**CITY OF COLUMBUS, OHIO, et al.,  
Defendants.**


**ORDER**

The Court conducted a Status Conference in this case on August 21, 2007. As discussed, the Plaintiffs shall provide a comprehensive identification of allegations with respect to the First Amendment freedom of association claim. The Defendants shall respond by indicating the extent to which the allegations bear upon the state court cases that are the subject of this action. If, in this process, it becomes apparent that discovery is necessary, counsel shall inform the Court and a Status Conference will be held. Otherwise, if the record is undisputed, the Court shall then rule upon the Motion for Preliminary Injunction regarding the freedom of association claim. With respect to the contingency fee issue, Plaintiffs shall have thirty days to identify anticipated areas of discovery.

At this juncture, the previously filed Motions to Dismiss Plaintiff's claims (**Doc. #19, #36, #38, #39, and #44**) are **DENIED without prejudice to renewal**. The Court will proceed to consider the Plaintiff's claims following the procedure outlined above.

**IT IS SO ORDERED.**

8-21-2007  
**DATE**

  
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**EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE**